

Remarks

Claims 1-3, 7, 9-15, 18-22, and 24-33 are now pending in this application. In the Office Action mailed on August 19, 2009, claims 1-3, 12-17, 22-28, and 32-34 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Pat. No. 6,571,236 to Ruppelt ("*Ruppelt*"). Claims 7, 9-11, 18-21, and 29-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ruppelt* in view of U.S. Pat. No. 6,738,780 to Lawrence et al. ("*Lawrence*"). Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ruppelt* in view of U.S. Pat. App. Pub. No. 2002/0087408 to Ruppelt ("*Ruppelt*"). The Applicant respectfully traverses all rejections of the Office Action.

By this amendment, claims 1-3, 7, 9-15, 18-22, 24, and 27-33 have been amended to further clarify the claimed invention. Following entry of this amendment, claims 1-3, 7, 9-15, 18-22, and 24-33 will remain pending in the application. For the reasons set forth below, the Applicant respectfully requests reconsideration and immediate allowance of this application.

Interview Summary

A telephone interview was conducted on November 16, 2009. Those present at the interview were Examiner Chojnacki and the Applicant's representative Adam J. Citrin. The Applicant's representative thanks Examiner Chojnacki for her time, for the courtesies extended during and after the interview, and for Examiner Chojnacki's efforts to move prosecution forward.

During the interview, the subject matter of the present application, the rejections of the Final Office Action, and the scope of the cited references were discussed. The Applicant's representative and Examiner Chojnacki discussed several proposed amendments to the claims directed to further clarifying the claimed invention. The Applicant has amended the claims as discussed in the Interview, and has made additional amendments for matters of form and consistency. It is believed that the amended claims are patentable over all of the cited references, individually, or in any hypothetical combination, for at least the reasons discussed during the interview on November 16, 2009.

Claim Rejections Under 35 U.S.C. § 102(b)

In the Office Action mailed on August 19, 2009, claims 1-3, 12-17, 22-28, and 32-34 were rejected under 35 U.S.C. § 102(b) as anticipated by *Ruppelt*. The Applicant respectfully submits that *Ruppelt* does not teach or describe each and every recitation of these claims.

Independent Claims 1, 13, and 24

Claims 1, 13, and 24 have been amended to further clarify the claimed invention, as suggested by Examiner Chojnacki during the interview summarized above. In addition to other novel and nonobvious features, the amended independent claims recite “user input indicating a problem associated with a customer of a service provider,” “obtaining a keyword from the information in the database,” and “determining, based upon the keyword, an offered service, the offered service comprising a service offered by the service provider.” The amended independent claims further recite the offered service “being associated with a...preference weighting comprising a stored predetermined value indicating a preference of the service provider to sell the offered service to the customer.” At least these recitations are not taught or described by *Ruppelt*.

Ruppelt discloses a diagnosis tool for use in diagnosing a possible solution for a diagnosis query. In *Ruppelt*, a user submits a diagnosis query, for example, “My dishwasher is leaking...”¹ A query is formulated, based upon the submitted diagnosis query, and the diagnosis tool attempts to identify recommendations based upon the submitted issue.

Aside from the fact that *Ruppelt* does not teach the recited “problem associated with a customer of a service provider,” “obtaining a keyword from the information in the database,” and “determining, based upon the keyword, an offered service, the offered service comprising a service offered by the service provider,” *Ruppelt* is completely silent as to weighting the offered service as recited in the independent claims. Namely, *Ruppelt* does not teach or describe weighting a service offered by a service provider based upon “a technical utility of the offered service to resolve the problem,” and a “preference weighting comprising a stored predetermined value indicating a preference of the service provider to sell the offered service to the customer.”

¹ *Ruppelt*, column 3, lines 7-10.

In fact, as discussed during the interview summarized above, *Ruppelt* never mentions the word “preference,” or “prefer” other than in referring to several of the disclosed embodiments, and does not otherwise teach or disclose any preference-based weighting of services. Because at least this recitation is not taught or described by *Ruppelt*, the rejections of the independent claims, *i.e.*, claims 1, 13, and 24, should be withdrawn.

Dependent Claims 2-3, 12, 14-15, 22, and 25-28

As mentioned above, *Ruppelt* does not teach or describe each recitation of the independent claims and, therefore, each of the independent claims is in condition for immediate allowance. As such, each of the rejected dependent claims, *i.e.*, claims 2-3, 12, 14-15, 22, and 25-28, is patentable over *Ruppelt* for at least the reasons discussed above.² Additionally, each of the dependent claims recites additional features that, in combination with the independent claims, are not taught or described by *Ruppelt*. For at least this reason, the Applicant respectfully requests withdrawal of the rejections of claims 1-3, 12-17, 22-28, and 32-34 under 35 U.S.C. § 102, and immediate allowance thereof.

Claim Rejections Under 35 U.S.C. § 103(a)

In the Office Action, claims 7, 9-11, 18-21, and 29-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ruppelt* in view of *Lawrence*. In the Office Action,³ *Lawrence* is relied upon as teaching various recitations of the dependent claims, for example, the weightings, weighted values, and/or thresholds recited in claims 7, 9-11, 18-21, and 29-31. The Applicant traverses these rejections and respectfully submits that *Lawrence* does not teach, suggest, or describe these recitations of the claims as set forth by the Office.

The Applicant notes, however, that even if *Lawrence* taught the features as set forth in the Office Action, a point the Applicant does not concede, *Lawrence* does not cure the above-identified deficiencies of *Ruppelt*. In particular, *Lawrence* does not teach, describe, or suggest “user input indicating a problem associated with a customer of a service provider,” “obtaining a keyword from the information in the database,” and “determining, based upon the keyword, an offered service, the offered service comprising a service offered by the service provider.”

² 35 U.S.C. § 112, fourth paragraph (2006).

³ Office Action, pages 7-9.

Furthermore, *Lawrence* does not teach, describe, or suggest the offered service “being associated with a...preference weighting comprising a stored predetermined value indicating a preference of the service provider to sell the offered service to the customer.” For at least the reasons discussed during the interview on November 16, 2009, and set forth above with respect to the rejections of claims 1, 13, and 24, and since *Lawrence* does not cure the above-identified deficiencies of *Ruppelt*, the Applicant respectfully submits that claims 7, 9-11, 18-21, and 29-31 are allowable over *Ruppelt* and *Lawrence*, individually or in any hypothetical combination.

Conclusion

In view of the foregoing amendment and remarks, the Applicant respectfully submits that all of the pending claims in the present application are in condition for allowance. Reconsideration and reexamination of the application and allowance of the claims at an early date is solicited. If Examiner Chojnacki has any questions or comments concerning this matter, Examiner Chojnacki is respectfully urged to contact the Applicant’s undersigned attorney at (404) 815-1900.

Respectfully submitted,

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